

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

WAPP TECH LIMITED PARTNERSHIP and
WAPP TECH CORP.,

Plaintiffs,

v.

APPLE INC., CAPITAL ONE, N.A.,
CAPITAL ONE SERVICES, LLC, FROST
BANK, and CULLEN/FROST BANKERS,
INC.,

Defendants.

Civil Action No. 4:25-cv-00230-ALM

JURY TRIAL DEMANDED

**DECLARATION OF JACK LESLIE IN SUPPORT OF
DEFENDANT APPLE INC.'S MOTION TO DISMISS**

I, Jack Leslie, hereby declare:

1. I am employed by Apple Inc. (“Apple”) in Cupertino, California, where I have worked since 2017. My current title at Apple is Supply Demand Plan Manager. Among other responsibilities, I manage Apple’s supply chain operations with third-party retailers, including Best Buy. In 2023, I was responsible for managing Apple’s supply chain operations with Target.

2. I provide this declaration in support of Apple’s motion to dismiss. Unless otherwise indicated below, the statements in this declaration are based upon either my personal knowledge or corporate records maintained by Apple in the ordinary course of business.

I. Best Buy

3. Apple does not manage the inventory at Best Buy’s stores. When Best Buy purchases Apple products for sale in Best Buy’s stores, Apple typically ships those products to one of Best Buy’s six regional distribution centers, which are located in California, Virginia, Oklahoma, Ohio, New York, and Georgia. Best Buy is then responsible for allocating and distributing that inventory to particular Best Buy stores. Apple has no role in determining how Best Buy distributes Apple products from Best Buy’s distribution centers.

4. Occasionally, Best Buy will request that Apple ship products directly to a particular Best Buy store—for example, if there is a shortage of Apple products at that store. When Apple ships its products to a particular Best Buy store, those shipments are initiated at Best Buy’s request. Apple does not decide what Apple products should be shipped to a particular Best Buy store; Best Buy makes those inventory decisions for itself.

5. Whether shipped to Best Buy’s distribution centers or to particular Best Buy stores, title passes to Best Buy when Apple’s products leave Apple’s warehouses. All inventory of Apple products at Best Buy’s distribution centers or Best Buy’s stores belongs to Best Buy.

II. Target

6. Most of the description above regarding Best Buy is also true as to Target, except that Target has fewer distribution centers, and Apple does not ship inventory to particular Target stores.

7. Apple does not manage the inventory at Target's stores. When Target purchases Apple products for sale in Target's stores, Apple ships those products to one of Target's three regional distribution centers, which are located in California, Illinois, and Virginia. Target is then responsible for allocating and distributing that inventory to particular Target stores. Apple has no role in determining how Target distributes Apple products from Target's distribution centers.

8. Title passes to Target when Apple's products leave Apple's warehouses. All inventory of Apple products at Target's distribution centers or Target's stores belongs to Target.

9. I am familiar with Apple's supply chain operations with Target because I managed the Target account in 2023. In addition, I confirmed the accuracy of this information by checking with my coworker who currently manages Apple's supply chain operations with Target.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: July 14, 2025



Jack Leslie